



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 25, 2017
Certified Mail/Return
7012 3460 0003 1112 9363

Lake Elementary School
4672 County Road N
Orland, CA 95963

Attention: Nikol Baker, Superintendent

Subject: Public Water System No. 1100440 – Citation No. 21-17C-031 for Failure to Collect a Routine Bacteriological Sample in July 2017.


It has come to our attention that the Lake Elementary School water system failed to collect a routine bacteriological sample in July of 2017. Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.


Reese B. Crenshaw, P.E.
Valley District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

1 **Citation No. 21-17C-031**

2
3 **STATE OF CALIFORNIA**
4 **WATER RESOURCES CONTROL BOARD**
5 **DIVISION OF DRINKING WATER**
6

7 **Public Water System:** Lake Elementary School

8 **Water System No.:** 1100440
9

10 **To:** Lake Elementary School
11 Attn: Nikol Baker
12 4672 County Road N
13 Orland, CA 95963
14

15 **Issued:** August 25, 2017
16 VIA CERTIFIED MAIL
17

18 **CITATION FOR NONCOMPLIANCE**
19 **With Title 22, California Code of Regulations**
20 **Section 64423**
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the
23 issuance of a citation for failure to comply with a requirement of the California Safe
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
3 for the Division, hereby issues a citation to Lake Elementary School for failure to
4 comply with Section 64423, Title 22, of the California Code of Regulations (CCR).

6 **APPLICABLE AUTHORITIES**

7 See Attachment A for Applicable Authorities

9 **STATEMENT OF FACTS**

10 Lake Elementary School (hereinafter "System") is classified as a non-transient non-
11 community water system and serves water to approximately 155 faculty and students.
12 Based on this population, the System is required to collect one routine bacteriological
13 water sample each month. In the event that a routine bacteriological sample is
14 positive for total coliform, the System is required to collect five routine samples the
15 month following a positive routine sample. As of the date of this citation, the System
16 has not collected or reported a monthly routine sample for July of 2017. The last
17 routine bacteriological sample report submitted to the Division was for June of 2017.

19 **DETERMINATION**

20 The Division has determined that the System violated Section 64423(a)(2), Title 22, of
21 the CCR, in that the System did not collect one monthly routine sample in July of
22 2017.

24 **DIRECTIVES**

25 The System is directed to take the following actions:
26



- 1 1. **Within 30 days** of the issuance of this Citation, provide public notification in
2 accordance with **Attachment B**, to all persons served by the System of the
3 violations noted above; as required by Section 64463.4(c) and Section 64465,
4 Title 22, of the CCR. Notification shall be completed in accordance with each of
5 the following:
6
7 a. Mail or direct delivery to each customer.
8 b. Notification by one or more methods for consumers not reached by mail
9 or direct delivery (**see Attachment B**).
10
11 2. Changes and/or modifications to **Attachment B** shall be not be made unless
12 approved by the Division.
13
14 3. Complete and return **Attachment C**, "Certification of Completion of Public
15 Notification" form **within 10 days** of giving public notice. A copy of the notice
16 used to provide public notification shall be attached to the form.
17

18 The Division reserves the right to make such modifications to this Citation as it may
19 deem necessary to protect public health and safety. Such modifications may be
20 issued as amendments to this Citation, and shall be deemed effective upon issuance.
21

22 Nothing in this Citation relieves the System of its obligation to meet the requirements
23 of the California Safe Drinking Water Act, or of any regulation, permit, standard, or
24 order issued or adopted thereunder.
25

26 All submittals required by this Citation shall be submitted to the Division at the
27 following address:

1 Reese B. Crenshaw, P. E.
2 Valley District Engineer
3 State Water Resources Control Board
4 Division of Drinking Water
5 364 Knollcrest Dr. Suite 101
6 Redding, CA 96002
7

8 **PARTIES BOUND**

9 This Citation shall apply to and be binding upon the Water System, its officers,
10 directors, shareholders, agents, employees, contractors, successors, and assignees.
11

12 **SEVERABILITY**

13 The Directives of this Citation are severable, and the Water System shall comply with
14 each and every provision thereof, notwithstanding the effectiveness of any other
15 provision.
16

17 **FURTHER ENFORCEMENT ACTION**

18 The California SDWA authorizes the Division to: issue citation with assessment of
19 administrative penalties to a public water system for violation or continued violation of
20 the requirements of the California SDWA or any permit, regulation, permit or order
21 issued or adopted thereunder including, but not limited to, failure to correct a violation
22 identified in a citation or compliance order. The California SDWA also authorizes the
23 Division to take action to suspend or revoke a permit that has been issued to a public
24 water system if the system has violated applicable law or regulations or has failed to
25 comply with an order of the Division; and to petition the superior court to take various
26 enforcement measures against a public water system that has failed to comply with

1 violates an order of the Division. The Division does not waive any further enforcement
2 action by issuance of this citation.

3
4
5
6
7 8/25/17

R. Crenshaw

8 Date

Reese B. Crenshaw, P.E.,

9 Valley District Engineer

10 Division of Drinking Water

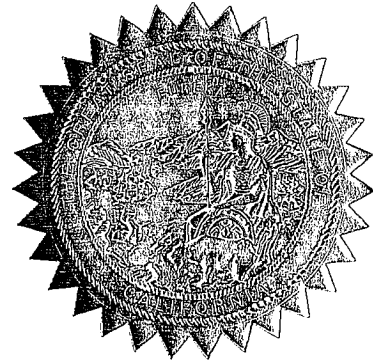
11 State Water Resources Control Board

12
13
14 Attachments:

15 Attachment A - Applicable Authorities

16 Attachment B - Public Notification Form

17 Attachment C - Proof of Notification Form



APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

Section 116701 of the CHSC states in relevant part:

Petitions to Orders and Decisions

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*

ATTACHMENT A

- (e) *The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) *If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

Section 64423(a)(2), Title 22, of the CCR states in relevant part:

- (2) *The minimum number of samples for nontransient-noncommunity water systems shall be based on the known population served as shown in Table 64423-A during those months when the system is operating. A nontransient-noncommunity water system using groundwater which serves 25-1000 persons may request from the State Board a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.*

Table 64423-A
Minimum Number of Routine Total Coliform Samples

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week

Table 64423-A
Minimum Number of Routine Total Coliform Samples

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week
59,001 to 70,000	21,101 to 25,000	18 per week
70,001 to 83,000	25,001 to 29,600	20 per week
83,001 to 96,000	29,601 to 34,300	23 per week
96,001 to 130,000	34,301 to 46,400	25 per week
130,001 to 220,000	46,401 to 78,600	30 per week
220,001 to 320,000	78,601 to 114,300	38 per week
320,001 to 450,000	114,301 to 160,700	50 per week
450,001 to 600,000	160,701 to 214,300	55 per week
600,001 to 780,000	214,301 to 278,600	60 per week
780,001 to 970,000	278,601 to 346,400	70 per week
970,001 to 1,230,000	346,401 to 439,300	75 per week
1,230,001 to 1,520,000	439,301 to 542,900	85 per week
1,520,001 to 1,850,000	542,901 to 660,700	90 per week
1,850,001 to 2,270,000	660,701 to 810,700	98 per week
2,270,001 to 3,020,000	810,701 to 1,078,600	105 per week
3,020,001 to 3,960,000	1,078,601 to 1,414,300	110 per week
3,960,001 or more	1,414,301 or more	120 per week

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

**LAKE ELEMENTARY SCHOOL DID NOT COLLECT A
ROUTINE BACTERIOLOGICAL SAMPLE IN JULY 2017**

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

What should you do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened? What was done?

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the month of July 2017, we did not collect a routine bacteriological samples as required. Therefore, we could not be sure of the quality of your drinking water during that time.

We will be addressing this by resuming routine sample collection in August 2017.

For more information, please contact Nikol Baker @ 530-865-1255

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.

State Water System ID#: 1100440.

Date distributed: _____.

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the State Water Resources Control Board. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

Public Water System Name Lake Elementary School

Public Water System No. 1100440

Public notification for the July 2017 bacteriological monitoring failure was performed by the following method(s):

Check and Complete

- Posting in conspicuous locations throughout the area served by the water system:
List locations: _____

AND

- Use of one or more of the following methods to reach persons not likely to be reached by posting in conspicuous places during the summer (Check all that apply):

_____ Publication in a local newspaper or newsletter;

_____ Posting on the school's Internet site

_____ Email message to faculty and students;

I hereby certify that the above information is factual.

Printed Name

Signature

Date